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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,990	12/22/2003	Amit Garg	2001-0526DIV3	9025

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EXAMINER

HASHEM, LISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 02/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/743,990

Applicant(s)

GARG ET AL.

Examiner

Lisa Hashem

Art Unit

2645

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 January 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 25-30.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

Lisa Hashem

Continuation of 11. does NOT place the application in condition for allowance because:

Newly amended claim 25 includes the following new limitation: '...transmission of a change in voicemail status message during the message notification server-initiated voicemail status call...' would require a new search/further consideration.

Newly amended claim 30 includes the following new limitations: '...the voicemail server includes multiple sub-mailboxes assigned to a single telephone line of a single subscriber, each sub-mailbox having a unique ID number for display on the subscriber device so as to identify which sub-mailbox has received a new voicemail message...' would require a new search/further consideration.

In response to Applicant's arguments about claims 25 and 26 that Hanson does not teach 'multiple mailbox partitions... associated with a single telephone line of the network...'. Examiner disagrees. Hanson clearly discloses a caller dialing the voice messaging system to leave a message. The caller may leave a message for multiple recipients. Each recipient has a mailbox and corresponding mailbox address within the voice-messaging system (col. 4, lines 30-55). Further, Applicant argues that '...There is no discussion or even in suggestion in Hanson that the various recipients are co-located and using a 'single telephone line' and '...The term 'partition' is used to describe an arrangement where separate sections within a single mailbox are identified with different persons, albeit with the same phone number...'. The claims do not recite '...various recipients are co-located and using a single telephone line...' and '...separate sections within a single mailbox are identified with different persons, albeit with the same phone number...'.

In response to Applicant's arguments about claims 28-30 that Helfman does not teach 'at least one unique ID number'. Examiner disagrees. Helfman clearly discloses at least one unique ID number associated with the status of messages at said voicemail server for that subscriber (e.g. the number '3' is the unique ID number associated with unread messages in the school-related category...' at said voice mail system for a subscriber of said system) (col. 8, lines 20-26). Further, Applicant argues that '...There is no teaching of a 'unique ID' that is associated with a particular subscriber. The purpose of using unique IDs in accordance with the present invention is that in the situation where there is more than one 'subscriber entity' (such as the case with multiple mailbox partitions), the various messages for each person may be associated with separate, unique IDs so that one may be able to distinguish the proper message recipient...'. The claims do not recite '...a unique ID associated with a particular subscriber...' and '...more than one subscriber entity...'.


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